

107TH CONGRESS
2D SESSION

H. R. 5426

To expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2002

Mr. WHITFIELD (for himself and Mr. TANNER) introduced the following bill;
which was referred to the Committee on Resources

A BILL

To expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fort Donelson Na-
5 tional Battlefield Expansion Act of 2002”.

1 **SEC. 2. FORT DONELSON NATIONAL BATTLEFIELD.**

2 (a) DESIGNATION; PURPOSE.—There exists as a unit
3 of the National Park System the Fort Donelson National
4 Battlefield to commemorate—

5 (1) the Battle of Fort Donelson in February
6 1862; and

7 (2) the campaign conducted by General Ulysses
8 S. Grant and Admiral Andrew H. Foote that re-
9 sulted in the capture of Fort Donelson by Union
10 forces.

11 (b) BOUNDARIES.—The Fort Donelson National Bat-
12 tlefield shall consist of the site of Fort Donelson and asso-
13 ciated land that has been acquired by the Secretary of the
14 Interior for administration by the National Park Service,
15 including Fort Donelson National Cemetery, in Stewart
16 County, Tennessee and the site of Fort Heiman and asso-
17 ciated land in Calloway County, Kentucky, as generally
18 depicted on the map entitled “_____”
19 numbered _____, and dated _____. The map
20 shall be on file and available for public inspection in the
21 appropriate offices of the National Park Service.

22 (c) EXPANSION OF BOUNDARIES.—The Fort
23 Donelson National Battlefield shall also include any land
24 acquired pursuant to section 3.

1 **SEC. 3 LAND ACQUISITION RELATED TO FORT DONELSON**
2 **NATIONAL BATTLEFIELD.**

3 (a) ACQUISITION AUTHORITY.—Subject to sub-
4 sections (b) and (c), the Secretary of the Interior may ac-
5 quire land, interests in land, and improvements thereon
6 for inclusion in the Fort Donelson National Battlefield.
7 Such land, interests in land, and improvements may be
8 acquired by the Secretary only by purchase from willing
9 sellers with appropriated or donated funds, by donation,
10 or by exchange with willing owners.

11 (b) LAND ELIGIBLE FOR ACQUISITION.—The Sec-
12 retary of the Interior may acquire land, interests in land,
13 and improvements thereon under subsection (a)—

14 (1) within the boundaries of the Fort Donelson
15 National Battlefield described in section 2(b); and

16 (2) outside such boundaries if the land has been
17 identified by the American Battlefield Protection
18 Program as part of the battlefield associated with
19 Fort Donelson or if the Secretary otherwise deter-
20 mines that acquisition under subsection (a) will pro-
21 tect critical resources associated with the Battle of
22 Fort Donelson in 1862 and the Union campaign
23 that resulted in the capture of Fort Donelson.

24 (c) BOUNDARY REVISION.—Upon acquisition of land
25 or interests in land described in subsection (b)(2), the Sec-
26 retary of the Interior shall revise the boundaries of the

1 Fort Donelson National Battlefield to include the acquired
2 property.

3 (d) LIMITATION ON TOTAL ACREAGE OF PARK.—The
4 total area encompassed by the Fort Donelson National
5 Battlefield may not exceed 2,000 acres.

6 **SEC. 4. ADMINISTRATION OF FORT DONELSON NATIONAL**
7 **BATTLEFIELD.**

8 The Secretary of the Interior shall administer the
9 Fort Donelson National Battlefield in accordance with this
10 Act and the laws generally applicable to units of the Na-
11 tional Park System, including the Act of August 25, 1916
12 (commonly known as the National Park Service Organic
13 Act; 16 U.S.C. 1 et seq.), and the Act of August 21, 1935
14 (commonly known as the Historic Sites, Buildings, and
15 Antiquities Act; 16 U.S.C. 461 et seq.).

16 **SEC. 5. RELATION TO LAND BETWEEN THE LAKES NA-**
17 **TIONAL RECREATION AREA.**

18 The Secretary of Agriculture and the Secretary of the
19 Interior shall enter into a memorandum of understanding
20 to facilitate cooperatively protecting and interpreting the
21 remaining vestige of Fort Henry and other remaining Civil
22 War resources in the Land Between the Lakes National
23 Recreation Area affiliated with the Fort Donelson cam-
24 paign.

1 **SEC. 6. REPEAL OF OBSOLETE PROVISIONS AND CON-**
2 **FORMING AMENDMENTS.**

3 (a) REPEALS.—

4 (1) 1928 LAW.—The first section and sections
5 2 through 7 of the Act of March 26, 1928 (16
6 U.S.C. 428a–428f), are repealed.

7 (2) 1937 LAW.—Section 3 of the Act of August
8 30, 1937 (16 U.S.C. 428d–3), is repealed.

9 (3) 1960 LAW.—Sections 4 and 5 of Public
10 Law 86–738 (16 U.S.C. 428n, 428o) are repealed.

11 (b) CONFORMING AMENDMENTS.—

12 (1) 1928 LAW.—The Act of March 26, 1928, is
13 amended—

14 (A) in section 8 (16 U.S.C. 428g), by
15 striking “Secretary of War” and inserting “Sec-
16 retary of the Interior”;

17 (B) in section 9 (16 U.S.C. 428h)—

18 (i) by striking “Fort Donelson Na-
19 tional Park” and inserting “Fort Donelson
20 National Battlefield”; and

21 (ii) by striking “Secretary of War”
22 and inserting “Secretary of the Interior”;
23 and

24 (C) in section 10 (16 U.S.C. 428i), by
25 striking “Secretary of War” and inserting “Sec-
26 retary of the Interior”.

1 (2) 1937 LAW.—The Act of August 30, 1937,
2 is amended—

3 (A) in the first section (16 U.S.C. 428d–
4 1)—

5 (i) by striking “Fort Donelson Na-
6 tional Military Park” and inserting “Fort
7 Donelson National Battlefield”; and

8 (ii) by striking “War Department”
9 and inserting “Department of the Army”;
10 and

11 (B) in section 2 (16 U.S.C. 428d–2)—

12 (i) by striking “Fort Donelson Na-
13 tional Military Park” and inserting “Fort
14 Donelson National Battlefield”;

15 (ii) by striking “said national military
16 park” and inserting “Fort Donelson Na-
17 tional Battlefield”; and

18 (iii) by striking the last sentence.

19 (3) 1960 LAW.—The first section of Public Law
20 86–738 (16 U.S.C. 428k) is amended—

21 (A) by striking “Fort Donelson National
22 Military Park” and inserting “Fort Donelson
23 National Battlefield”; and

1 (B) by striking “, but the total area com-
2 memorating the battle of Fort Donelson shall
3 not exceed 600 acres”.

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